

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

In re:)	09-10332 / Chapter 11
)	
THE HAMMOCKS, LLC d/b/a)	
Richmond Hill Inn,)	
)	
Debtor,)	
_____)	
)	Adversary Proceeding
THE HAMMOCKS, LLC d/b/a)	No. 09-01035
Richmond Hill Inn, Debtor-in-Possession,)	
)	
Plaintiff,)	
)	
v.)	MOTION TO WITHDRAW
)	REFERENCE AS TO ADVERSARY
HARLEYSVILLE MUTUAL INSURANCE)	PROCEEDING NO. 09-01035
COMPANY,)	
)	
Defendant.)	
_____)	

Pursuant to 28 U.S.C. § 157 and Federal Rule of Bankruptcy Procedure 5011, and for the reasons set forth in the accompanying Memorandum of Law In Support of the Motion to Withdraw the Reference, Harleysville Mutual Insurance Company (“Harleysville”), by and through its attorneys, hereby moves for an Order withdrawing the reference to the United States Bankruptcy Court for the Western District of North Carolina as to the above-captioned Adversary Proceeding.

Pursuant to Rule 5011 of the Federal Rules of Bankruptcy Procedure, Harleysville requests that its Motion to Withdraw the Reference be transmitted in a timely manner to the United States District Court for the Western District of North Carolina for hearing and disposition of the Motion.

WHEREFORE, Harleysville Mutual Insurance Company respectfully requests that its Motion to Withdraw the Reference be granted and that reference be withdrawn as to Adversary Proceeding No. 090-01035 so that the action can be fully litigated and all issues of fact tried to a jury in the District Court.

Dated: December 28, 2009

/s/ David L. Brown

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CERTIFICATE OF SERVICE

The undersigned certifies that the document to which this Certificate is affixed was served upon the party(s) to this action by means of the Electronic Filing System of the Bankruptcy Court on December 28, 2009.

/s/ Brady A. Yntema
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